

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:14-CV-55-FL

KELVIN GRANT WILLIAMS,)	
)	
Plaintiff,)	
)	
v.)	ORDER OF DISMISSAL
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

The Docket and pleadings show that the first filing by the Plaintiff was on September 9, 2014. The final decision of the Commissioner was dated June 3, 2014. Allowing 5 days for the Plaintiff to receive the final decision (*see* 20 C.F.R. § 404.901), and 60 days to file a civil action (*see* 42 U.S.C. § 405(g); 20 C.F.R. § 404.981), the last day for the Plaintiff to commence this action timely was September 8, 2014, a Monday.

The action was commenced untimely. Therefore, the Complaint is dismissed with prejudice, pursuant to F.R.Civ. P. 12(b)(6).

This is a final judgment. The Clerk of Court shall enter judgment in accordance with Rules 58 and 79 of the Federal Rules of Civil Procedure and is directed to close the case.

It is so ORDERED this 26th day of November, 2014.



LOUISE W. FLANAGAN
UNITED STATES DISTRICT JUDGE